IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

WP(C).No. 10296 of 2007(A)

PETITIONER:

1. RAJESH, AGED 35 YEARS, S/O.THANKAPPAN, MADATHIL HOUSE, VAZHAMUTTOM, OMALLOOR, PATHANAMTHITTA.

2. SUJITH, MADATHIL HOUSE, VAZHAMUTTOM, OMALLOOR, PATHANAMTHITTA.

3. KARUNAKARAN, EDAVAMANNIL VEEDU, VALLIKODE, PATHANAMTHITTA.

BY ADV. SRI.S.SHANAVAS KHAN

RESPONDENTS:

1. THE DISTRICT COLLECTOR, PATHANAMTHITTA.

2. THE TAHSILDAR, KOZHENCHERRY.

3. THE VILLAGE OFFICER, OMALLOOR.

4. THE VILLAGE OFFICER, VALLIKODE, KOZHENCHERRY.

BY G.P. SHRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN, J.

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W.P.(C).No.10296 of 2007

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Dated this the 10th day of April, 2007

J U D G M E N T

The petitioner challenges Exts.P2, P4, P6, P9, P9(a) and P9(b) notices in this writ petition. Apparently, the petitioner is under the misconception that these notices have been issued under the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001. On the other hand, it is quite clear that these notices have been issued under the Kerala Land Conservancy Act. That being so, the very basis of the petitioner's writ petition is on a mistaken premise. Therefore, I do not think that this writ petition filed on the false premise is to be entertained. The petitioner may seek appropriate remedies as provided under the Kerala Land Conservancy Act. Without prejudice to such right, this writ petition is dismissed. However, to enable

the petitioner to initiate appropriate proceedings under the Kerala Land Conservancy Act, the interim order granted by this court on 26.3.2007 would continue in force for a period of three weeks.

Sd/-
sdk+ S.SIRI JAGAN, JUDGE

///True copy///

P.A. to Judge.